

MANISTEE CITY PLANNING COMMISSION

70 Maple Street
P.O. Box 358
Manistee, Michigan 49660

MEETING MINUTES

OCTOBER 7, 1993

The regular meeting of the Manistee City Planning Commission was held on Thursday, October 7, 1993 at 7:00 P.M. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 7:05 P.M. by Chairman, Roger Yoder.

MEMBERS PRESENT: R. Bauman, R. Franckowiak, D. Johnson, J. Lakos, A. Slawinski, K. Thompson, R. Yoder

MEMBERS ABSENT: R. Bruchan, J. Carter

OTHERS PRESENT: Jon Rose (City Code Administrator), Homer Ramsdell (City Parks Supervisor), Warren Johnson (City Parks Commission), Joe Pienta (500 5th Avenue), Marilyn Enanoiul (327 River St.) and Terry Biers (Harbor Village)

PUBLIC HEARING:

REZONING OF PROPERTY AT NW CORNER OF MAIN & PARKS STREET

Hearing was called to order by Chairman Yoder who explained the purpose of the hearing and the request is to rezone the property from Transitional to R-5 Residential. The formal presentation was made by Kendra Thompson as representative of the owners, Mr. & Mrs. William Slade, and who also indicated that she would be abstaining from any action on the request.

K. THOMPSON

The property in question is currently the site of the Sportsmen Center Campground. The owners propose to eliminate the campground and construct a mobile home park with a maximum of 23 home sites. As a mobile home park, camping trailers would not be permitted. The cabins on the site would remain for the time being, but would be phased out as the last of the 23 home sites are developed. The C-Tec tower and residential properties are to the west and north, Reitz's Park to the south, and industrial to east and northeast. The rezoning is being requested because the R-5 regulations permit a mobile home park as a special use permit, where the Transitional District does not. If the rezoning request is approved, the applicants will be seeking a special use permit.

J. ROSE

Indicated that there have been no communications received either pro or con on the proposed change.

The presentation was followed by questions from commission members for clarification.

There being no further questions or comments, the hearing was closed at 7:17 p.m and the next hearing was called to order.

SPECIAL USE PERMIT FOR STORAGE IN THE I-1 DISTRICT-

The hearing was called to order by Yoder who explained the purpose of the hearing. Rose indicated that in addition the Special Use permit consideration, there would also be the possible vacation of Residential Drive which runs behind the property in question.

J. PIENTA

Made the presentation on his proposed project, which includes three 66' x 120' storage buildings. Initially he would start with only one building and locate it on the west end the parcel which he will seek to purchase from the city. The buildings would be used for storage and possibly for commercial use, such as a contractors equipment storage and offices. There would be no out door storage. nor no activities on the south side of the building(s).

- SLAWINSKI Asked for clarification on the drawing concerning the lot width, whether it was 60 or 68 feet, as that would effect the size of the buildings.
- J. PIENTA Believed the parcel is 68 feet but would check it out. No water, sewer or heat is being planned for the first building, as it would only be used for storage, but when the second building is planned, the matter would be considered further. The building would be either of pole or steel construction.
- J. ROSE In regards to the Residential Drive, this road was originally constructed to provide access to the Dunes Subdivision and to a oil well in the area. Since the construction of the new road from Monroe Street to the Subdivision, this road is now only used for access to the well site. If vacated, half of the roadway would go to Sand Products Company, who own the property immediately to the south. Sand Products is aware of the Special Use Permit request, but not of the possible roadway vacation. If the roadway is vacated, a sixty-six foot road right-of-way would be retained on the west end of the property under consideration for road access to the well site.
- R. BAUMAN Asked if there were plans for fences, walks or change of topography.
- J. ROSE There are currently no plans for any of those items.
- THOMPSON Asked some questions concerning the lot width and about a fence or berm to separate the property from the adjoining residential district.

There being no further questions or comments, the hearing closed at 7:43 p.m. and the regular meeting was called to order.

SITE PLAN REVIEWS:

OLD FASHION BAR - OUTDOOR SEATING:

Marilyn Enanoiul, who is one of the owners, made the presentation. They own 327 through 331 River Street, which includes a vacant lot. They propose to enclose the vacant lot with an eight foot fence. There would be only a 36 inch door from the bar for access and a 48 inch gate to the alley for emergency and maintenance purposes only. There will be no direct access to River Street. The enclosed area would be used for outdoor seating. It was noted that the Historic Overlay District Review Committee has given conceptual approval, but still requires final approval.

Following discussion, it was moved by Thompson, supported by Lakos to approve the site plan as presented. MOTION CARRIED.

VILLAGE INN:

Terry Biers for the Victorian Village Partnership. He indicated that the height of the building has been decreased approximately seven feet since the last PUD revision. The plan submitted is only for the first (westerly) building and stage one of the parking lot. The first building will have 34 units of which they currently have reservations for eleven. When they have fourteen reservations they would start construction. They are currently no planning to use the previously approved tower. It was moved by Lakos, supported by Franckowiak to approve the Stage One Site Plan. MOTION CARRIED.

DOUGLAS PARK MASTER PLAN (PARKS COMMISSION)

Homer Ramsdell and Warren Johnson made the presentation on behalf of the Parks Commission. Questions were raised and discussed concerning moving the north parking lot back about fifty feet and the use of the boulders for barriers. Following discussion, it was moved by Lakos, supported by Slawinski, to recommend to the City Council that the Douglas Park Master Plan be adopted. MOTION CARRIED.

QUESTIONS & CONCERNS: None

CONSIDERATION OF MATTERS:

REZONING OF PROPERTY AT NORTHWEST CORNER OF MAIN AND PARK STREETS:

Following discussion of the request, it was moved by Bauman, supported by Slawinski, that the requested rezoning be approved. MOTION CARRIED. [Thompson abstained]

SPECIAL USE PERMIT FOR STORAGE IN THE I-1 DISTRICT-

Discussion was held on the request. Concern was expressed concerning the style of building in light of public sentiment regarding residential use of the area.

It was moved by Slawinski, supported by Lakos, to approve a Special Use Permit for General Storage [SIC 4225] - Excluding Self Storage, subject to the following conditions:

1. Approval contingent on vacation of Residential Drive and the sale of the property by the City to the applicant;
2. There will be no outside storage;
3. There will be no maintenance facilities permitted;
4. Buildings shall be sided and roofed with standard residential siding and roofing materials due to the parcel immediately adjoining a residential district;
5. A wall or berm, as required in Section 6004, shall be constructed when a residential unit is constructed on the adjoining property;
6. Site plan review for the proposed buildings shall be considered when construction is anticipated.

MOTION CARRIED.

VACATION OF RESIDENTIAL DRIVE AND SALE OF PROPERTY SOUTH OF INDUSTRIAL PARK:

It was moved by Lakos, supported by Slawinski, to recommend to the City Council that a request to vacate Residential Drive be approved and that the sale of the adjoining to Joe Pienta for storage buildings be approved, but retaining a 66 foot easement on the west end of the parcel for access to the adjoining well site. MOTION CARRIED

MINUTES

It was moved by Lakos, supported by Bruchan, that the minutes of 09/02/93 be approved. MOTION CARRIED.

MASTER PLAN AMENDMENTS:

Questions by Bauman about the need to update the Master Plan.

SIGN ORDINANCE

Bauman gave a preview of the presentation that will be made to the Downtown Merchants Association on October 20th.

HISTORIC OVERLAY DISTRICT ORDINANCE REWRITE:

No report.

CURB CUT REGULATION

Johnson made a presentation of a draft of curb cut regulations to address problems discussed at the September meeting. Following discussion it was moved by Lakos, supported by Franckowiak to schedule a public hearing at the November regular meeting to receive public comment on the proposed regulations. MOTION CARRIED.

CITY UPDATE

Rose reported on the following:

1. City Survey.
2. Council Action on Zoning Amendments, where they approved the submitted changes, except for exempting marinas as a special use fronting on a listed primary street.
3. Fire Barn bids for remodeling are out.
4. Ground Water Protection Grant.
5. Lead levels in city water.

D.D.A.

No report.

ZONING BOARD OF APPEALS

No report.

**SITE PLAN REVIEW &
HISTORICAL OVERLAY COMMITTEE**

A report was given by Thompson.

12th STREET EXTENSION

No report.

JOINT CITY REVIEW/ORDINANCE COMMITTEE

No report.

SPECIAL USE PERMIT FOR MOBILE HOME PARK-

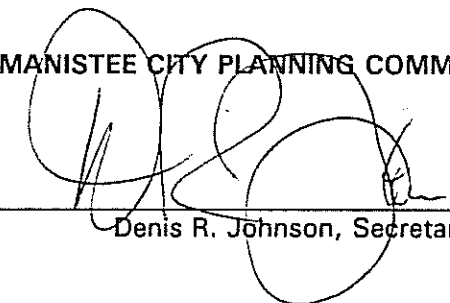
Thompson advised that if the City Council concurs with the Planning Commission's recommendation to rezone the Main and Park Street property, a Special Use Permit application for a Mobile Home Park will be submitted and public hearing on the matter scheduled for the November regular meeting.

ADJOURNMENT

There being no further business, it was moved by Franckowiak, supported by Lakos, that the meeting be adjourned. MOTION CARRIED.

The meeting adjourned at 9:50 p.m.

MANISTEE CITY PLANNING COMMISSION



Denis R. Johnson, Secretary

**AN ORDINANCE TO AMEND IN PART AN
ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE"
WHICH WAS ADOPTED MARCH 20, 1990, TO AMEND DRIVEWAY AND
CURB CUT REGULATIONS, TO AMEND VEHICLE PARKING REGULATIONS, AND
TO ADD AN ADDITIONAL DEFINITION**

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That the Manistee City Zoning Ordinance of March 20, 1990, is hereby amended to add a new subsection B to the curb cut standards in **Section 1013** and to change the current subsection B to subsection C, as follows, to wit:

1013. Driveway and Curb Cuts

- B.** At no time shall a curb cut be permitted unto a city-owned off street right of way unless a driveway is being developed on the fronting parcel. In residential districts, a permitted curb cut on a primary city street shall not be closer than fifty (50) from an intersection of any two streets. If the permitted curb cut is on a secondary street, then it shall be no closer than thirty feet from an intersection. Paving of city-owned off street right of way may only occur in the area of a permitted curb cut, unless otherwise authorized by the City Council. For those areas where there are no curb and gutters, the requirements of this section shall still apply and be administered as if the curb and gutters were present. For parking regulations on city-owned off street right of way, see Section 1014 H.
- B-C.** The Appeals Board may grant variances

2. That the Manistee City Zoning Ordinance of March 20, 1990, is hereby amended to add an additional subsection in **Section 1014**, as follows, to wit:

- H.** In addition to the parking and storage restrictions found in Section 1018C, parking or storage of motor vehicles, recreational vehicles, trailers, etc. on city-owned off street right of ways is not permitted unless expressly authorized by the City Council.

3. That the Manistee City Zoning Ordinance of March 20, 1990, is hereby amended to add an additional definition in **Section 503**, as follows, to wit:

VEHICLE means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices exclusively moved by human power or used exclusively upon stationary rails or tracks and excepting a mobile home as defined in section 2 of Act No. 419 of the Public Acts of 1976, being section 125.1102 of the Michigan Compiled Laws. [Section 257.79 of Act No. 300 of the Public Acts of 1949, as amended]